

**MEMO ENDORSED**USDC SDNY  
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June 6, 2014

**BY US MAIL**

United States District Court  
for the Southern District of New York  
Hon. Edgardo Ramos  
United States District Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

The Government is directed to respond  
to the Defendant's request by June 23, 2014,  
by close of business.

**SO ORDERED:**

  
HON. EDGARDO RAMOS  
UNITED STATES DISTRICT JUDGE

Re. United States vs. Donald Roth, 02-CR-1503.  
Termination of Supervised Release

Dear Judge Ramos,

I write in regard to the above-entitled action and am respectfully requesting that the Court treat this correspondence as a "letter motion" in which I am seeking termination of the period of supervised release, pursuant to 18 U.S.C. Sec. 3583(e)(1), U.S.S.G §5D1.2. Application Note 5, and September 2013 guidance from the Administrative Office of the U.S. Courts on behalf of the Federal Judiciary (please see <http://news.uscourts.gov/early-termination-supervision-cost-effective-and-safe>).

I commenced the period of supervised release on December 31, 2012 and it ends on December 31, 2015.

For the following reasons and grounds I respectfully request that the Court terminate my period of supervised release. Such action is warranted by my conduct and is in the interest of justice.

1. I am and have been in compliance with all terms and conditions of supervised release. The office of the United States District Court for the Southern District of New York, United State Probation, Mr. Scott Long, SUSPO, is aware of and does not oppose the motion, please see attached Exhibit A; and
2. If this motion is granted I plan on seeking reinstatement to the New York State Bar. The practice of law was my vocation prior to the conviction. If reinstated I plan on concentrating in immigration law as it regards providing fair priced legal services for traditionally

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underrepresented and marginalized groups. I voluntarily surrendered my law license in December of 2006 and am now eligible to seek reinstatement. I cannot do so while under a term of supervised release, please see Exhibit B1-2; and

3. I am in a stable family relationship. I reside with and am engaged to Dr. Ericka Rovira who is employed by the United States Department of Defense (“DOD”), United States Military Academy, West Point, New York, in the Department of Behavioral Sciences and Leadership. She is a tenured Associate Professor in the Engineering Psychology Program at West Point. Ericka is now pregnant with our first child and due in August 2014; and
4. The fine and special assessment imposed by the Court was timely paid in 2009. There was no restitution imposed by the Court; and
5. I do not have a drug or alcohol problem and the Court specifically waived post incarceration drug and alcohol testing in its 2005 Judgment and Commitment; and
6. Upon commencing the period of supervised release in December 2012 I was found to be the lowest available risk by the United States Department of Probation’s Post Conviction Risk Assessment tool; and
7. I am not a flight risk or danger to the community. In its response to my 2004 motion for bail pending appeal, which was granted, the United State Attorney’s office indicated that I am not a flight risk or danger to the community and consented to self-surrender; and
8. Between September 4, 2003 (the date I was released on bail) and July 21, 2008 (the date I self-surrendered to the Federal Bureau of Prisons) I was under the supervision of the United States Department of Probation’s Pretrial Release department and remained in compliance with the terms and conditions of my release.
9. I accept responsibility of the crime for which I was convicted, am sorry for my conduct, and have been adequately punished for the crime because I was disbarred and lost the ability to

practice law which was not only my vocation but a very important part of my identity, spent forty-seven months incarcerated in the Federal Bureau of Prisons, lost my home, possessions, and wife of nine years, and was humiliated in the community.

Thank you for your consideration.

Very truly yours,



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Donald Roth  
315 North Highland Avenue  
Nyack, NY 10960

cc.

United States Attorney  
For the Southern District of New York  
The Hon. Charles L. Brieant Jr.  
Federal Building and United States Courthouse  
300 Quarropas St.  
White Plains, NY 10601-4150

United States District Court  
for the Southern District of New York  
United States Probation  
ATTN: Mr. Scott Long, SUSPO  
25 South Street  
Middletown, New York 10940-6435

Encl.